

**SAN FRANCISCO POLICE DEPARTMENT
CHRONOLOGICAL OF INVESTIGATION**

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TYPE OF CASE O.I.S.	CASE NO. 110460706	VICTIM RYAN/REYES/LIEU
DATE Tuesday, June 07, 2011	DETAIL HOMICIDE	INSPECTOR ASSIGNED CAGNEY/DELAHUNTY
		ACTIVITY
06/07/11	1745	NOTIFIED O.I.C. HOMICIDE O.I.S. [REDACTED] BUENA VISTA EAST N.F.I.
06/07/11	1812	ARRIVED AT SCENE. BRIEFED BY SERGEANTS WONG, S.I.D, BURROWS, CO. F S.I.T., LT. SOLOMON, P.C., CO. F. CRIME SCENE SECURED, SUSPECT TRANSPORTED TO M.E.H. CONDITION UNKNOWN. INVOLVED OFFICERS NOT ON SCENE. OFFICER BOWERS #202 3F11D CUTTING INITIAL 110460706. NUMEROUS OFFICERS, COMMAND STAFF PRESENT (SEE CRIME SCENE LOG AND INCIDENT REPORT FOR DETAILS) PER BRIEFING, CO F 35 CAR, SGT. SCOTT RYAN # 734 3F135, OFFICER ALBERT LEIU #1632 3F35C, AND OFFICER RUBEN REYES #1943 3F35E, DRIVING A UNMARKED CROWN VICTORIA ATTEMPTED TO ARREST A BANK ROBBERY SUSPECT DRIVING A STOLEN GREY B.M.W. SUSPECT ATTEMPTED TO FLEE USING HIS VEHICLE AS A WEAPON AND WAS SHOT BY SGT. RYAN AND OFFICER LIEU. NO OFFICER INJURIES. SUSPECT [REDACTED] MULTIPLE GSW IN CRITICAL CONDITION. NO WITNESSES AT SCENE OR AVAILABLE FOR INTERVIEW.
06/07/11	1820	INSPECTOR DELAHUNTY AND I WALK THE CRIME SCENE WITH LT. SAINEZ O.I.C. HOMICIDE. NOTE NUMEROUS CASINGS IN A ROUGH SEMI CIRCLE TO THE FRONT OF VEH #1 UNMARKED 4 DOOR GREY 2000 FORD CROWN VICTORIA, CA. PLATE [REDACTED] PARKED IN THE MIDDLE OF THE STREET, S/B. UNMARKED HAS IT'S RIGHT FRONT PASSENGER DOOR. DOOR IS BENT FORWARD PAST ITS DESIGNED ARC WITH SOME DAMAGE TO BOTH FRAME AND DOOR. I NOTE THAT THE FRONT RED EMERGENCY LIGHT ON THE UNMARKED VEHICLE IS LIT. VEH #2 SUSPECT VEHICLE GREY 2009 B.M.W. 328 I 2 DOOR, PAPER PLATES, ROUGHLY ORIENTED S/B. FRONT END IN CONTACT WITH VEH#4 RIGHT REAR. NUMEROUS BULLET STRIKES TO FRONT AND LEFT SIDE OF VEHICLE. MODERATE IMPACT DAMAGE TO LEFT SIDE AND FRONT END OF VEHICLE. BLOOD VISIBLE DRIVER'S SIDE. VEHICLE IS IN NEUTRAL. VEH#3 IS A YELLOW 2008 GMC VAN PARKED W/B, CA. PLATE [REDACTED] WITH A BULLET STRIKE BACK TO FRONT THROUGH REAR WINDOW AND SIDE. VEH #4 CA. PLATE [REDACTED] IS A BLACK 2000 NISSAN 4 DR. MODERATE DAMAGE TO RIGHT REAR SIDE AND PARKED W/B. VEH#5 CA. PLATE [REDACTED] IS A 1996 MAZADA 4 DR, GREEN IN COLOR, IN CONTACT WITH VEH. #4 LEFT SIDE VEH#5 IS PARKED W/B. THERE IS DISCARDED CLOTHING TO THE RIGHT OF THE BMW ON THE STREET. I ALSO NOTED TWO SIG MAGAZINES, ONE WITH LIVE ROUNDS, ON THE FRONT HOOD OF THE CROWN VIC. NEARBY, ON THE STREET IS ONE LIVE ROUND.
06/07/11	1820	POSSIBLE I.D. ON SUSPECT FROM SGT. PHIL WONG S.I.D. F.B.I. LIAISON [REDACTED] . PER WONG [REDACTED] MAYBE A SOUTHERN CALIFORNIA SERIAL BANK ROBBERY SUSPECT WHO HAS ALSO COMMITTED SEVERAL A.D.W.'S ON P.O.'S WITH A STOLEN B.M.W. THAT MATCHES THE DESCRIPTION OF THE B.M.W. IN THIS INCIDENT. SGT. WONG ADVISED ME THAT S.F.P.D. OFFICERS HAD BEEN CONDUCTING SURVEILLANCE ON THE B.M.W. AT THE LOCATION AFTER BEING

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		ALERTED TO THE VEHICLE'S LOCATION BY THE B.M.W.'S ON BOARD G.P.S. LOCATER. THIS INFORMATION HAD BEEN PASSED ON BY F.B.I. S/A [REDACTED] LEAD ON THE BANK ROBBERY SERIES. PER SGT. DEMPSEY C.I.U. HE BRIEFED SGT. RYAN ON THE ABOVE INFORMATION AND COORDINATED THE SURVEILLANCE OPERATION UNTIL IT WAS TERMINATED AT 1500 HRS WITHOUT ANY SIGN OF THE SUSPECT.
06/07/11	1825	INSP. PHILPOTT RESPONDS TO M.E.H. TO HANDLE SUSPECT CUSTODY AND EVIDENCE COLLECTION.
06/07/11	1830	ADVISED SUSPECT PRONOUNCED AT 1802 HRS AT M.E.H.
06/07/11	1850	L.T. SOLOMON CO.F HAS PARK STATION OFFICERS CONDUCTING WITNESS CANVASS. DELAHUNTY AND I WALK STREET FOR ANY SURVEILLANCE CAMERAS.NONE LOCATED. C.S.I.: BRUNEMAN, WEGGENMAN, RODELAS, CUNNINGHAM, GAMBOA, TOM, AND EVANS ARRIVE AND PROCESS, VIDEO, AND PHOTOGRAPH CRIME SCENE
06/07/11	1900	ADVISED BY OFFICER RACINE CO.F THAT HE HAS LOCATED FIVE WITNESSES WHO SAW ALL OR MOST OF THE INCIDENT. SOME HAVE PREPARED WRITTEN STATEMENTS.
06/07/11	1900	DELAHUNTY AND I INTERVIEW: [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] WITNESS INTERVIEWS WERE ESSENTIALY CONSISTENT: 5 OF 5 WITNESSES HEARD LOUD SHOUTING AND COMMANDS BEING MADE BY THE 3 OFFICERS. THESE COMMANDS INCLUDED "STOP, LET ME SEE HANDS, DON'T MOVE, TURN OFF THE CAR" NONE OF THE WITNESSES COULD STATE THAT THEY HEARD ALL OF THE SHOUTED COMMANDS OR VERBAL INTERACTIONS WITH THE SUSPECT. 4 OF 5 WITNESSES SAW THE SUSPECT VEHICLE BACKING UP PRIOR TO THE OFFICERS OPENING FIRE. THE 5 TH WITNESS DID NOT LOOK OUT THE WINDOW UNTIL SHOOTING HAD STOPPED. 2 OF 5 WITNESSES SAW AN OFFICER JUMP UP ON TWO PARKED CARS TO ESCAPE BEING STRUCK. ALL WITNESSES STATED THAT THEY HEARD NUMEROUS GUNSHOTS. WITNESSES WERE NOT SURE THAT THEY HEARD OFFICERS IDENTIFY THEMSELVES OR NOT. (ALL INTERVIEWS WERE TAPED SEE NOTES, CD-R'S FOR DETAILS)
06/07/11	2200	DELAHUNTY AND I INTERVIEW: SGT. SCOTT RYAN #734 3F135 CO. F OFFICER RUBEN REYES #1954 3F35E CO. F OFFICER ALBERT LIEU #1632 3F35C CO. F OFFICERS STATEMENTS ARE CONSISTENT WITH EACH OTHER. RYAN STATED THAT HE FEARED FOR HIS SAFETY WHEN THE SUSPECT REVERSED HIS VEHICLE TOWARDS HIM, TRAPPING HIM BETWEEN THE CROWN VICTORA AND THE BMW. RYAN STATED THAT HE FIRED NUMEROUS ROUNDS TO

SFPD 298 (10/76) *

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		STOP THE SUSPECT FROM STRIKING HIM. LIEU STATED THAT HE FIRED NUMEROUS ROUNDS TO PROTECT RYAN, AND THEN HIMSELF, AFTER THE VEHICLE DROVE TOWARDS HIM. REYES DID NOT FIRE PER HIS STATEMENT BECAUSE OF CROSS FIRE. ALL THREE OFFICERS STATED THAT THEY IDENTIFIED THEMSELVES AS POLICE AND GAVE REPEATED COMMANDS TO SURRENDER. ALL THREE OFFICERS CONSENTED TO INTERVIEWS AND HAD LEGAL REPRESENTATION PRESENT. (SEE NOTES AND CD-R'S FOR DETAILS)
06/08/11	0100	L.T. SAINZ NOTICES DAMAGE TO LIEU'S PANTS CONSISTENT WITH BEING PINNED BETWEEN VEHICLES. C.S.I. RESPONDS TO DOCUMENT AND PANTS ARE BOOKED BY CO. F AS EVIDENCE
06/08/11	0900	O.I.C. HOMICIDE BRIEFING
06/08/11	0930	REVIEWED INCIDENT REPORT AND STATEMENTS
06/08/11	1000	DELAHUNTY E.C.D. REQUEST FOR CAD
06/08/11	1030	RECEIVED I.D. ON SUSPECT FROM M.E. OFFICE [REDACTED] (PRINTS) WITH [REDACTED] CA. ADDRESSES.
06/08/11	1100	BRIEFING WITH HOMICIDE O.I.C.
06/08/11	1200	BRIEFING WITH CHIEF SHUR
06/08/11	1330	DELAHUNTY HAS DE-BRIEF WITH F.B.I. S/A [REDACTED] REGARDING INVESTIGATION OF THE BANK ROBBERIES. DELAHUNTY CONFIRMS I.D. OF [REDACTED] NOT [REDACTED] AS SUSPECT. [REDACTED] TOLD DELHUNTY THAT [REDACTED] HAD BECOME A PERSON OF INTEREST THE CASE BASED ON DESCRIPTION AND M.O. OF PRIOR CRIMES. S/A [REDACTED] INDICATED THAT INVESTIGATION WAS CONTINUING. NUMEROUS STILLS OF SUSPECT AVAILABLE. [REDACTED] E-MAILS POLICE REPORTS DETAILING BANK ROBBERIES AND OFFICER ASSAULTS TO [REDACTED]. (SEE CASE FILE)
06/08/11	1400	I CONTACTED L.A.P.D. DETECTIVE [REDACTED] NORTH HOLLYWOOD DIVISION [REDACTED] RE: 10851 CVC CASE WITH B.M.W. AND VIDEO OF SUSPECT. PASSED ALONG I.D. OF [REDACTED] FOR HIS CASE.
06/08/11	1430	BRIEFED SGT. WONG S.I.D. ON CASE
06/08/11	1400	RECEIVED PHOTOS FROM CRIME SCENE TAKEN BY SGT. BURROWS CO. F SIT
06/08/11	1500	SUBMITTED BRIEFING SUMMARY TO L.T.
06/08/11	1530	SPOKE TO [REDACTED] VIA TELEPHONE [REDACTED] FATHER OF SUSPECT AND GAVE HIM A BRIEF OVERVIEW OF CASE.
6/09/11	0900	DELAHUNTY CONTACTS U.S. MARSHAL [REDACTED] RE:FEDERAL ARREST WARRANT FOR [REDACTED]
06/09/11	1100	PREPARED C.S.I. VEHICLE PROCESSING REQUESTS FOR INSP. HNATOW C.S.I. ADVISED B.M.W. PROCCESING WILL BE DONE BY 06/14/11
06/09/11	1430	DELAHUNTY COORDINATES WITH LT. BRUNMAN O.I.C. C.S.I. RE:BULLET TRAJECTORY ON VAN
06/09/11	1530	RELEASED CROWN VIC TO FLEET AFTER PHOTOS
06/09/11	1600	DELAHUNTY REQUESTS S.F. FIRE AND EMS RECORDS
06/09/11	1615	CONTACTED DR. AZAR M.E. RE: AUTOPSY. [REDACTED] SHOT 6 TIMES, 3 CHEST, 2 ARM, 1 GRAZE LEFT SIDE OF HEAD. 1 BULLET RECOVERED FROM BODY.

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		314.00 U.S. CURRENCY GOLD CHAIN.
06/09/11	1900	DELAHUNTY, PHLPOTT AND I RESPOND TO THE UNIT BLOCK OF BUNEA VISTA EAST TO CANVASS. DELAHUNTY PHILPOTT AND I INTERVIEW: [REDACTED] [REDACTED] (2 ND INTERVIEW) [REDACTED] [REDACTED] HAS CELL PHONE VIDEO OF INCIDENT WILL EMAIL TO ME [REDACTED] (DELAHUNTY PHONE INTERVIEW 06/10/11) TAPED SEE CD-R'S FOR DETAILS
06/09/11	2000	LEFT BUSINESS CARDS FOR [REDACTED] BUENA VISTA EAST [REDACTED] [REDACTED] [REDACTED] AND [REDACTED] BUENA VISTA EAST [REDACTED] FOR INTERVIEWS NO ANSWER TO DOOR
06/10/11	1500	OFFICER LIEU CONTACTED ME AND ADVISED ME THAT HE HAD VISIBLE BRUISING TO HIS CHEST. ARRANGED PHOTO LAB TO DOCUMENT INJURIES AND WALKED HIM DOWN FOR PHOTOS. CONTACTED LT. KERR, CO. F AND ADVISED HER OF LIEU'S INJURY.
06/10/11	1600	RECEIVED E MAIL OF [REDACTED] CELL PHONE VIDEO. SHOWS BACK UP UNITS ARRIVING NOT THE SHOOTING (DVD)
06/12/11	1100	FAMILY OF [REDACTED] ([REDACTED]) IN S.F. TO CLAIM REMAINS REQUEST THAT DELAHUNTY AND I MEET THEM AT THE CRIME SCENE. DELAHUNTY AND I ASK IF THEY WILL MEET US AT THE DETAIL INSTEAD. THE FAMILY DECLINES TO MEET US
06/13/11	1200	CALLED AMR SUPERVISOR [REDACTED] RE: INTERVIEW WITH PARAMEDICS UNIT #971 FIRST RESPONDERS.
06/13/11	1400	RELEASED VAN TO [REDACTED]
06/13/11	1430	SPOKE TO OFFICER KAVANAGH. SHE TOLD ME SHE MET THE FAMILY AT THE CRIME SCENE WHILE PATROLLING DISTRICT ON 06/12/11
06/13/11	0900	RESPONDED TO C.S.I. AND SEARCHED B.M.W. WITH DELAHUNTY. NO EVIDENCE RECOVERED. INVENTORY OF VEHICLE DONE. DELAHUNTY AND I BOOK ALL PROPERTY AT P.C.D.
06/14/11	1100	RELEASED MAZDA TO [REDACTED]
06/14/11	1300	PREPARED C.S.I. REQUEST FOR BALLISTICS AND GUN OPERABILITY.
06/20/11	1000	SPOKE TO THE AMR CREW THAT WAS THE FIRST RESPONDERS TO O.I.S. AND SET UP TAPED INTERVIEWS.
06/20/11	1200	WORKING UNRELATED HOMICIDE CASE WITH TEAM.
06/27/11	0900	CSI DOES TRAJECTORY ON BMW AT CSI AUTO SECTION
06/27/11	1000	CONTACTED AMR CREW AND RESCHEDULED INTERVIEWS.
06/30/11	1800	DELAHUNTY AND I INTERVIEW [REDACTED] [REDACTED] AT HER RESIDENCE. SUMMARY: [REDACTED] STATED THAT SHE SAW THE ENTIRE INCIDENT . SHE STATED THAT SHE HEARD MALE VOICES SHOUTING OUTSIDE HER WINDOWS. [REDACTED] STATED THAT SHE SAW WHAT SHE BELIEVED TO BE POLICE ORDERING A DRIVER TO STOP HIS CAR. SHE STATED THAT THE DRIVER DID

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DATE	TIME	ACTIVITY
		NOT STOP BUT SLOWLY BACKED UP AND THEN FORWARD. [REDACTED] STATED THE AT LEAST ONE OFFICER OPENED FIRE AND SHOT THE DRIVER MANY TIMES. AT ONE POINT [REDACTED] STATED TO DELAHUHTY AND ME THAT ONE OF THE OFFICERS HAD PUT HIS HANDS ON THE HOOD OF THE VEHICLE. (SEE NOTES AND CD-R FOR DETAILS)
06/30/11	1900	LEFT BUSINESS CARD FOR L [REDACTED] BUNEA VISTA EAST [REDACTED] NO ANSWER TO DOOR.
07/01/11	0900	[REDACTED] LEFT MESSAGE
08/11/11	1600	PHONE INTERVIEW (TAPED) WITH L [REDACTED] [REDACTED] TOLD ME HE HEARD THE COMMOTION AND WHEN HE LOOKED OUTSIDE, HE SAW THE AFTERMATH OF THE SHOOTING. [REDACTED] STATED THAT HE DID NOT SEE THE ACTUAL SHOOTING OR THE EVENTS LEADING UP TO IT. (SEE CD-R FOR DETAILS)
10/19/11	0900	RECEIVED AND REVIEWED CRIME LAB FIREARMS SECTION REPORT ON SFPD FIREARMS AND EXPENDED ROUNDS (CASE FILE)
05/11/12	0900	PER L.T. , CASE FILE COPY TO LEGAL RE: O.C.C. REVIEW (CASEFILE)
10/05/12		D.A. DECLINATION LETTER CASE CLOSED 13

Lt. Tim Plyer #1489
Homicide Detail

T.P. 8/5/13

STATEMENT OF [REDACTED]

OFFICER INVOLVED SHOOTING

CASE #110-460-706

MICHAEL PHILPOTT #65
Inspector, Homicide Detail

DATE OF STATEMENT: 06/07/2011 2008 HRS.

PREPARED BY INSP. MIKE PHILPOTT #65

THIS IS A SYNOPSIS OF THE INTERVIEW AND IT IS INTENDED AS AN INVESTIGATED AID TO THE INSPECTOR, NOT AS EVIDENCE OF ANY STATEMENTS MADE.

Inspector Philpott conducted this digitally taped interview with [REDACTED] During the interview [REDACTED] was in the apartment

[REDACTED] stated that [REDACTED] was in [REDACTED] apartment at [REDACTED] E. Buena Vista [REDACTED] when [REDACTED] heard a car crash and a lot of shouting. [REDACTED] went over to the window and saw about 4 to 5 cops shouting, "Get out of the car!" Then all of a sudden all of the cops opened fire with their guns. The cops stopped shooting and continued yelling at the guy in the car to get out of the car. The cops seemed panicked. The guy in the driver's seat looked slumped over inside the car. [REDACTED] was looking [REDACTED] perspective the driver looked seriously injured or dead. Then one of the cops went around the right side and jumped over an open door. He then opened the driver's door and handcuffed the driver.

At this time [REDACTED] saw blood all over the stomach area of the driver. The cops handcuffed [REDACTED] It was a bit of a panicked scene. A couple seconds later an ambulance arrived and they took [REDACTED] out of the car and onto the floor. The paramedics performed CPR 4 to 5 times.

[REDACTED] said what drew [REDACTED] attention to the incident was the car crash. [REDACTED] heard the crash and then shouting. [REDACTED] saw cops yelling get out of the car. The cops were protecting themselves with their car and had their guns over the top of the car. The guys car was crashed into cars parked across the street. The cops were on the left side of their car. They were moving around. After shouting one guy went around the car. [REDACTED] was looking out [REDACTED] apartment window. [REDACTED] was able to hear but because they (Police) were all shouting at the same time [REDACTED] could not make out what they were saying. [REDACTED] did hear them say, "How many are in the car?"

[REDACTED] stated that [REDACTED] assumed the guys yelling were the police. [REDACTED] did not see a red light or hear any sirens. They started yelling and then gunshots. [REDACTED] was sitting in the car. [REDACTED] did not see the cars move after the crash. No movement.

█████ said there were 3 cops shooting and they were all white males. From █████ window █████ could not really tell the height of the officers █████ did not see police stars. █████ saw the back of the officers and from █████ viewpoint █████ could not see the officers' faces, just their backs. █████ remembered that they might have been wearing ball caps. As █████ was looking out the window the incident was a little to █████ and █████. When █████ heard the crash █████ was sitting at a desk next to the window. █████ got up and walked two steps over to the window and saw the suspect car crashed into the parked cars across the street.

After the shooting they (police) opened the car door and cuffed █████. The paramedics took the driver out of the car. █████ did not see any of the officers jump on the parked cars across the street and █████ did not see any of the cops in front of the suspect car. █████ could not tell if the cops car made contact with the suspect vehicle. The police car back passenger door was open, that's why the cop jumped over the door. █████ did not hear the cops say police, just get out of the car.

█████ was not in the apartment when the incident occurred. █████ came after and saw all of the police and ambulance personnel outside █████ apartment building.

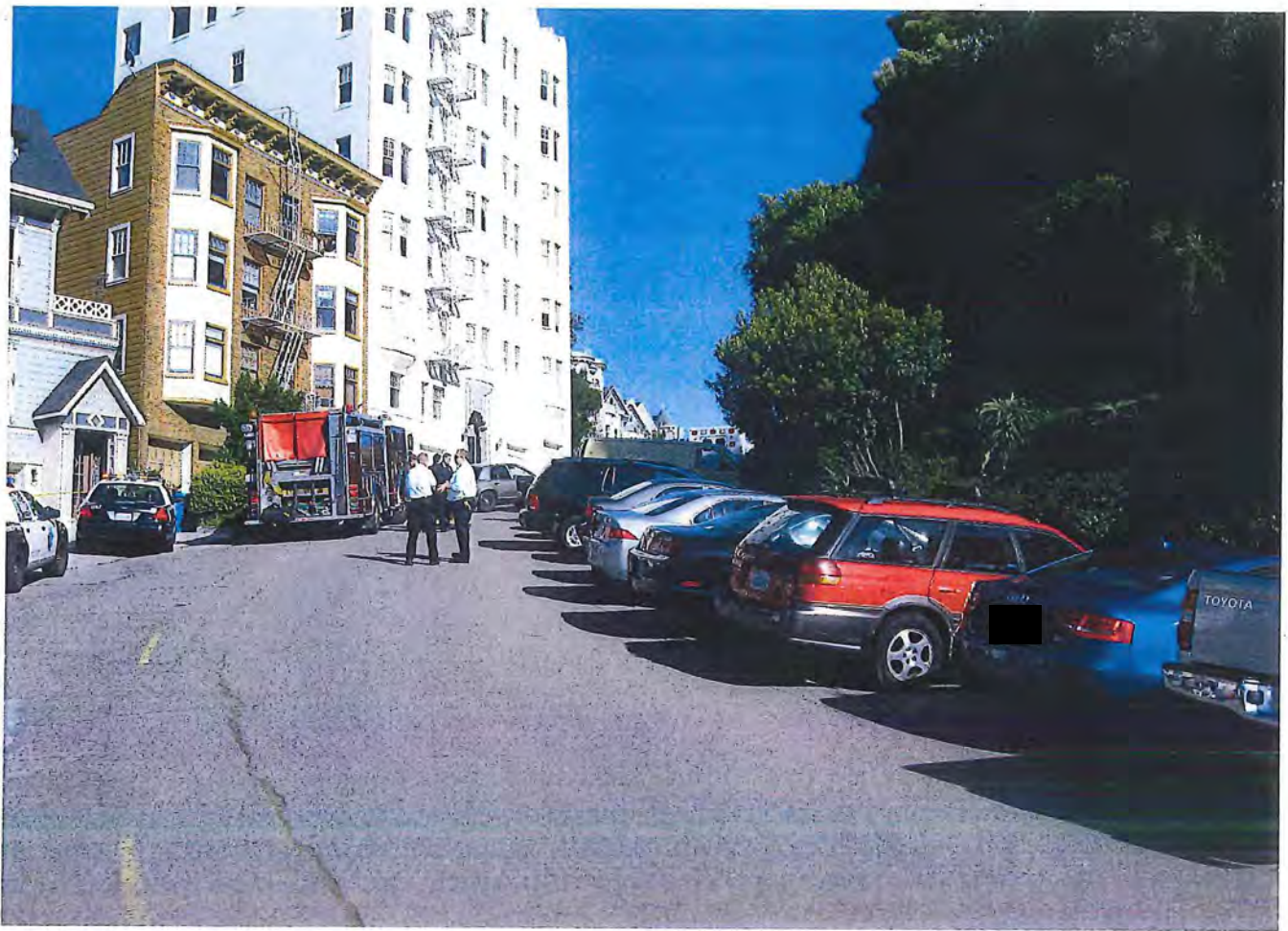




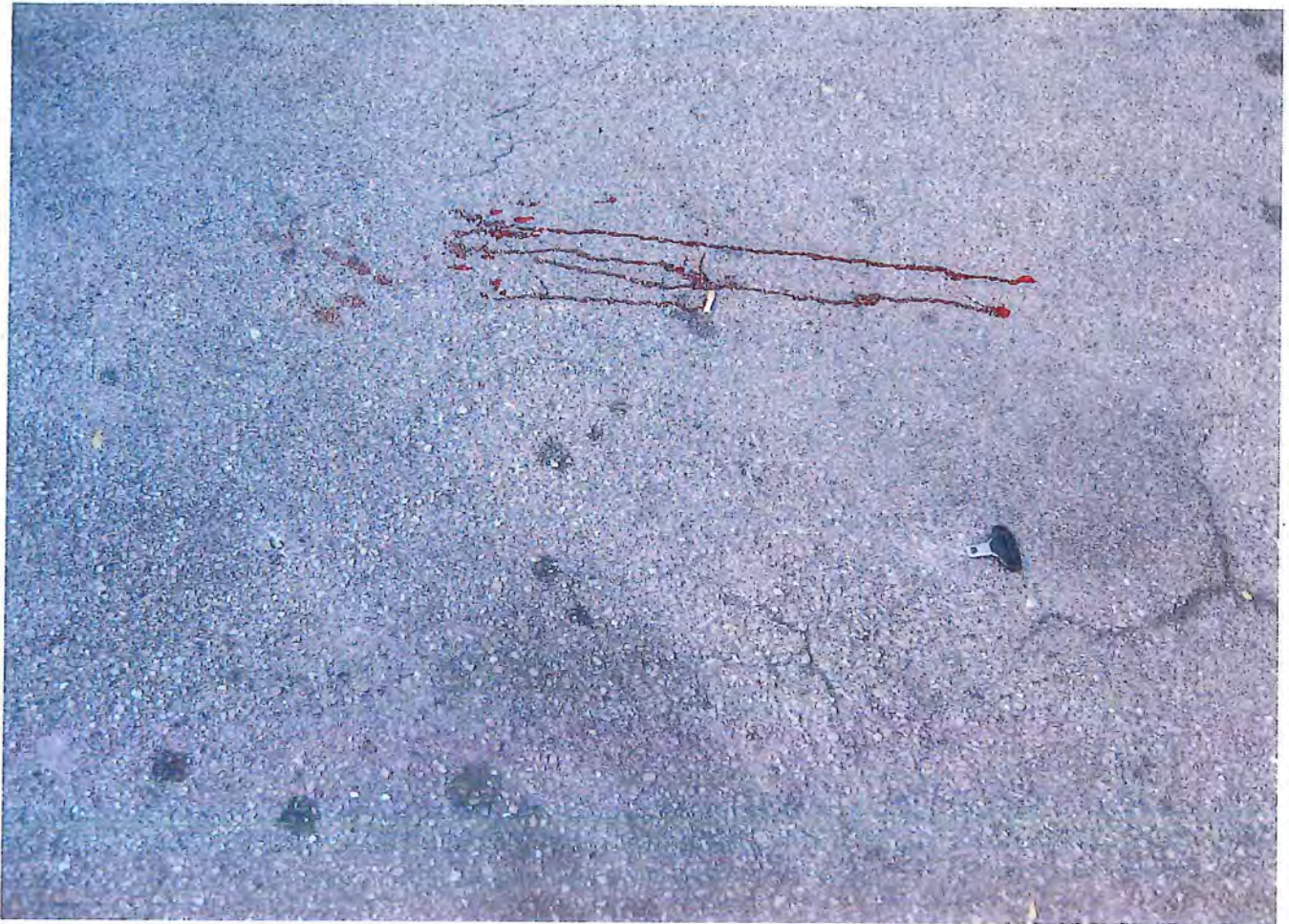










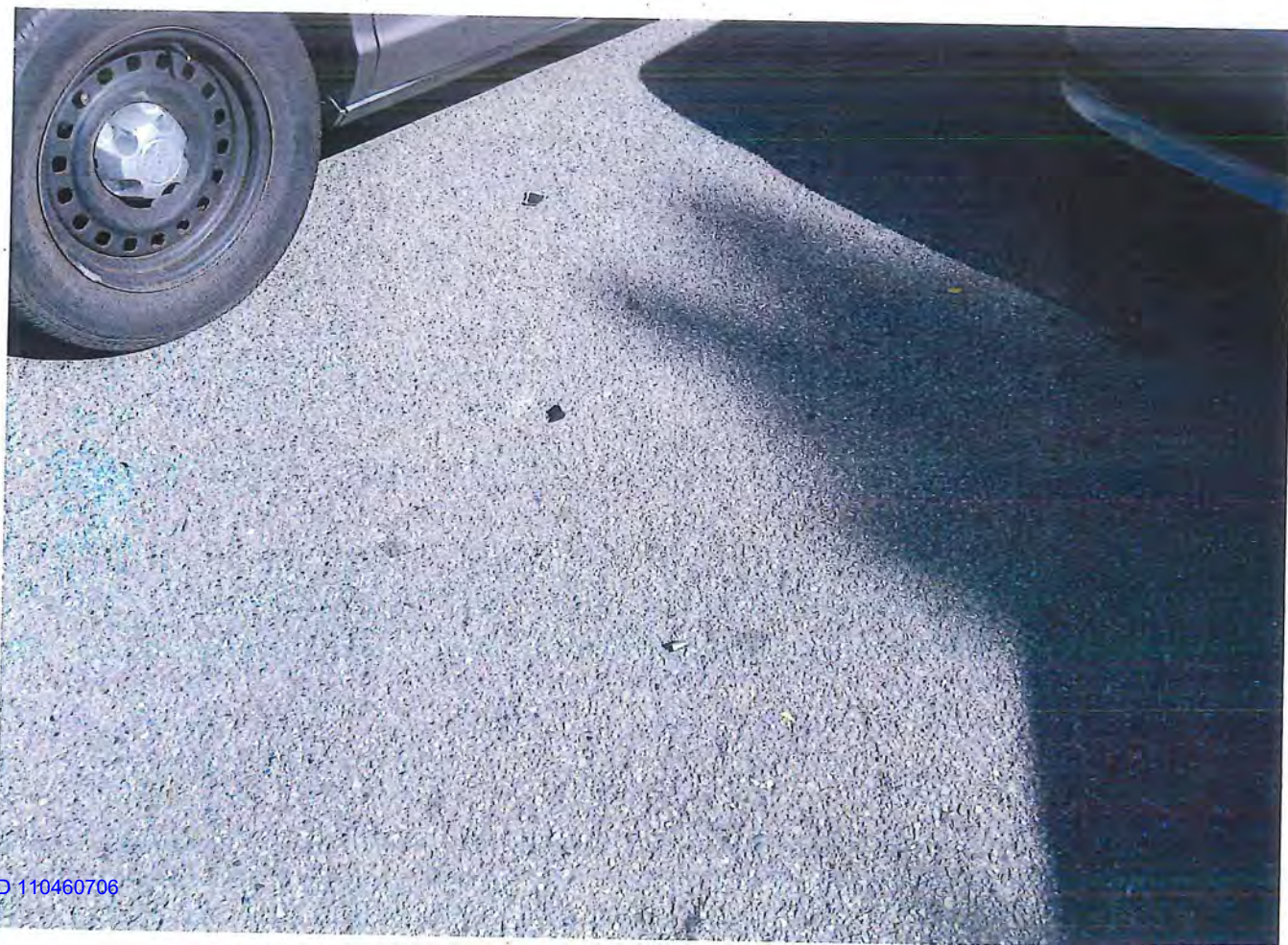


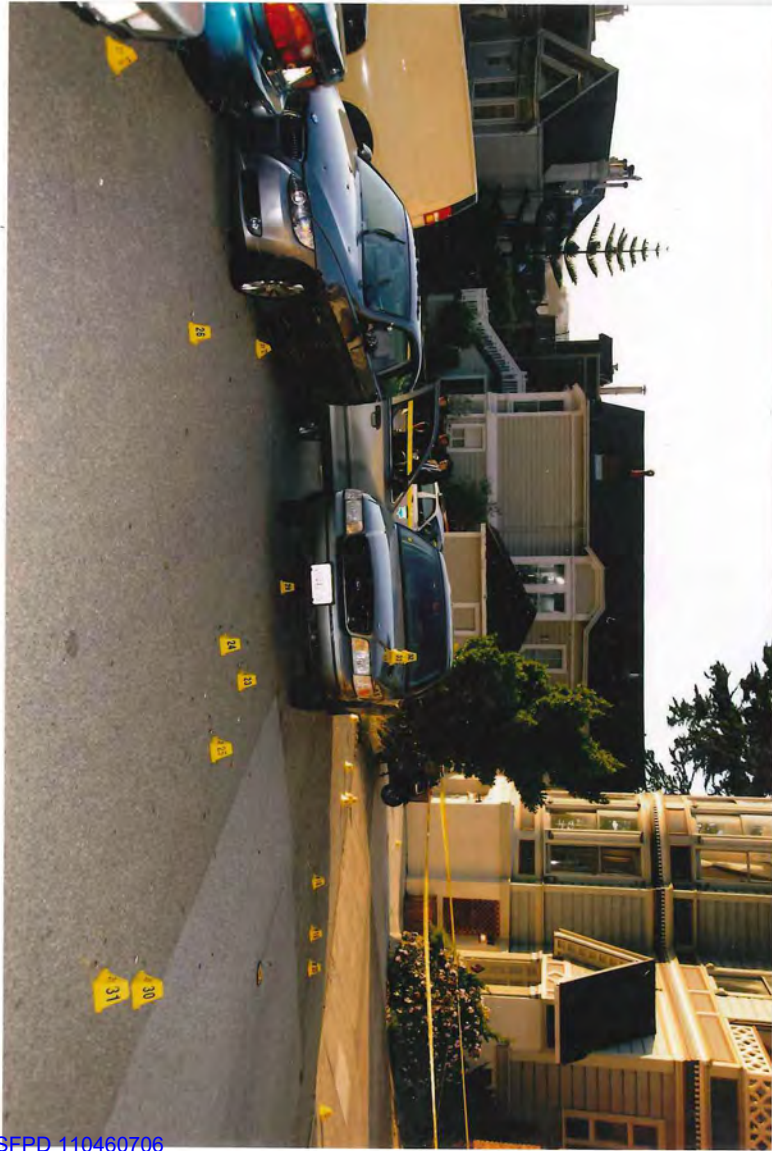




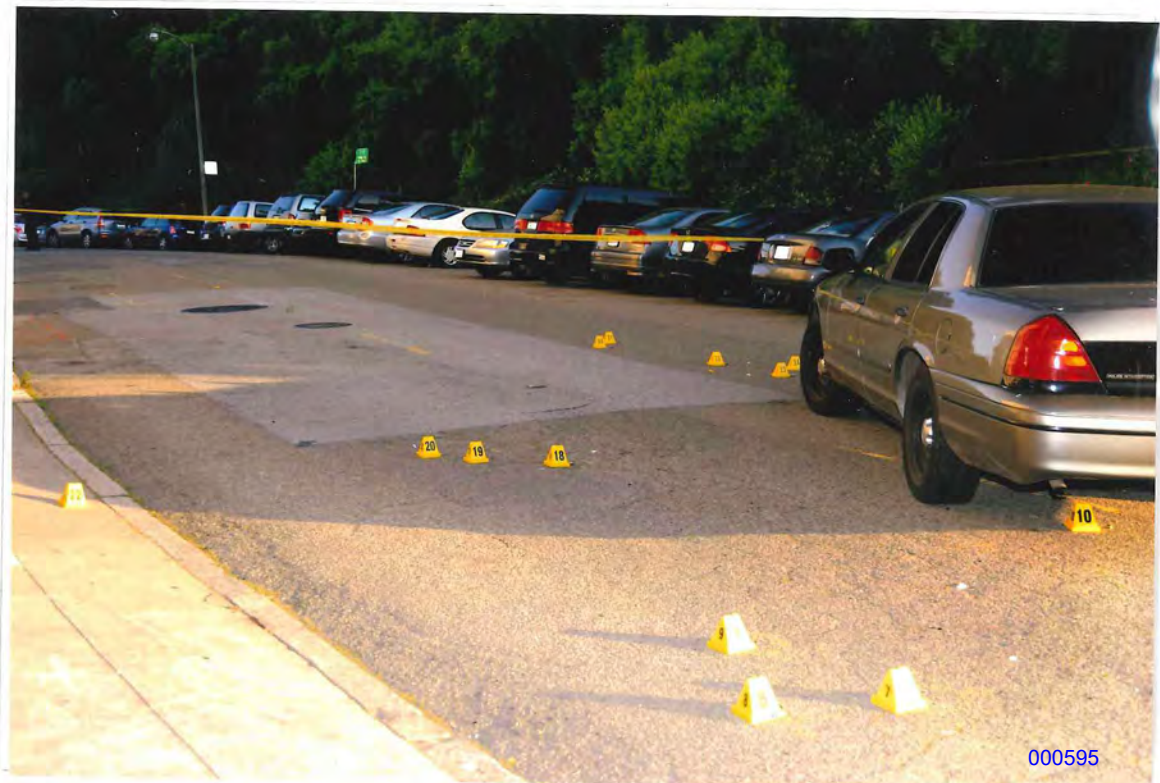




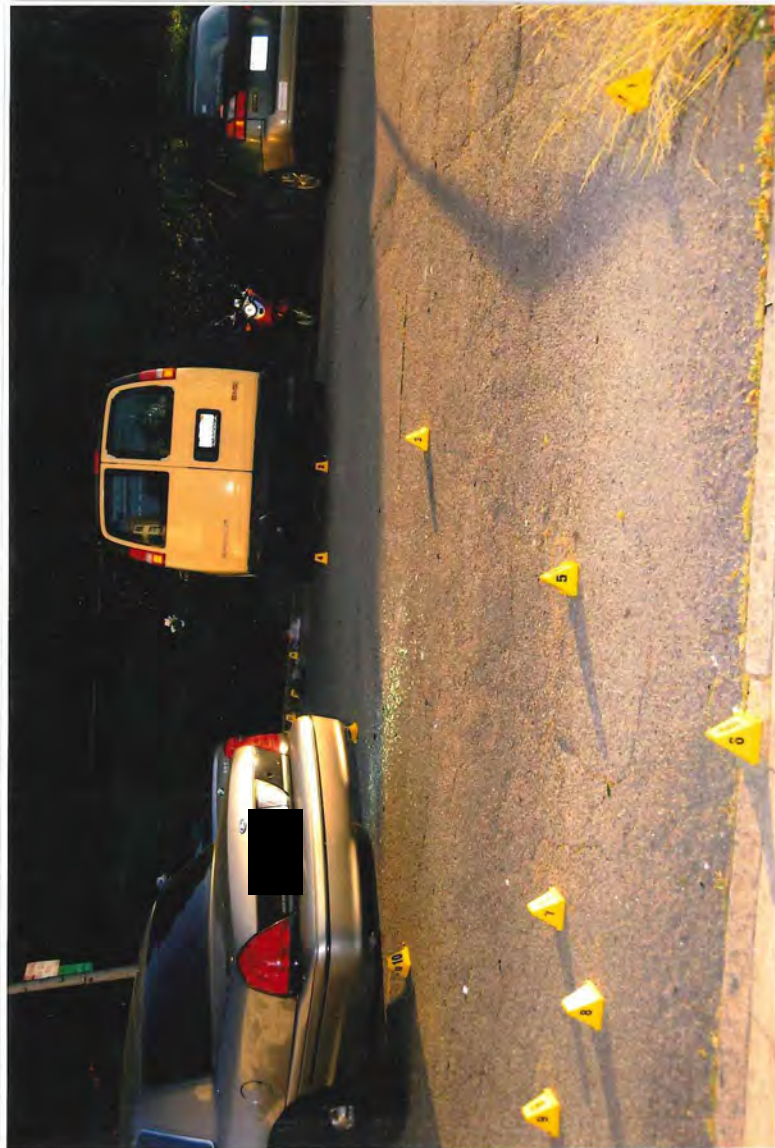




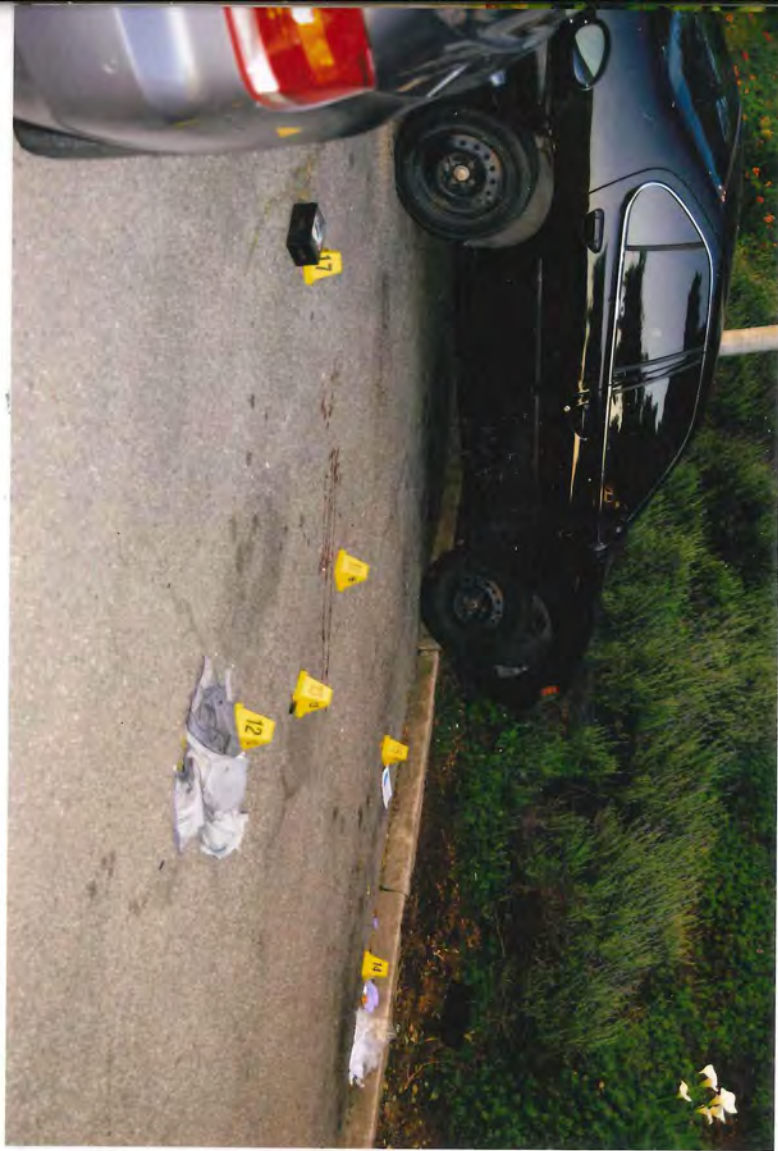
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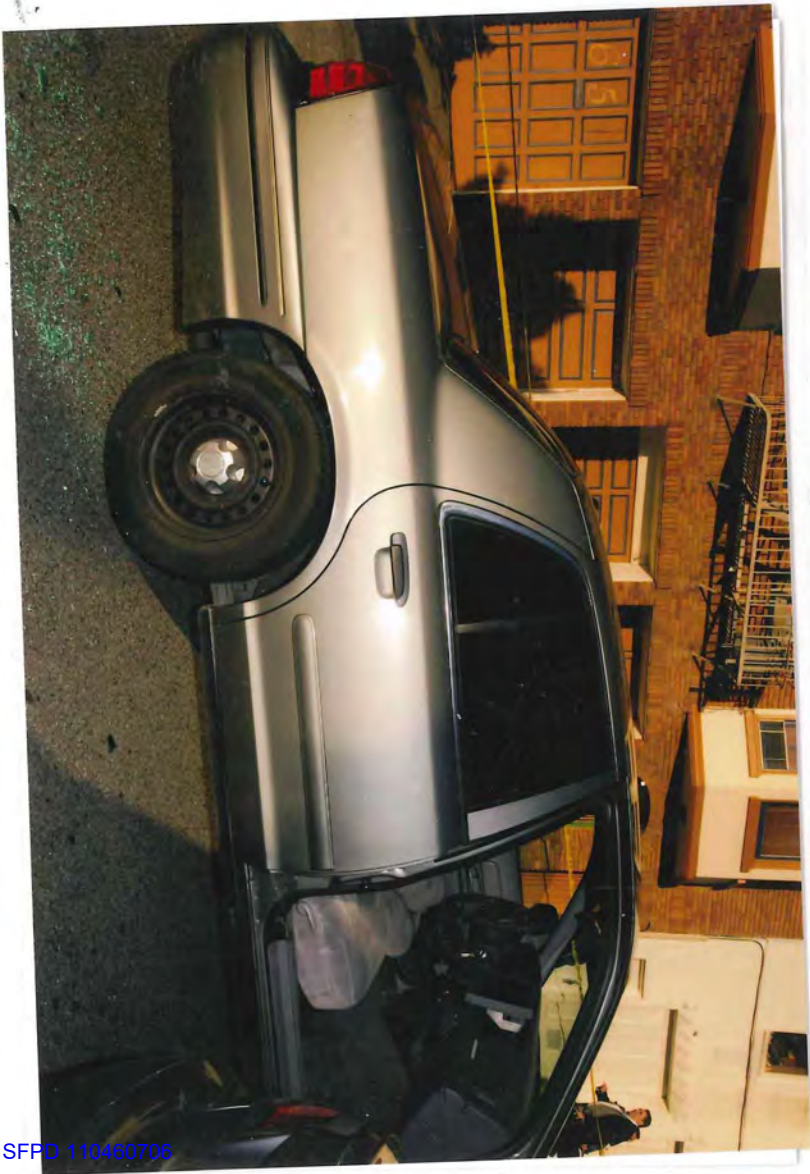
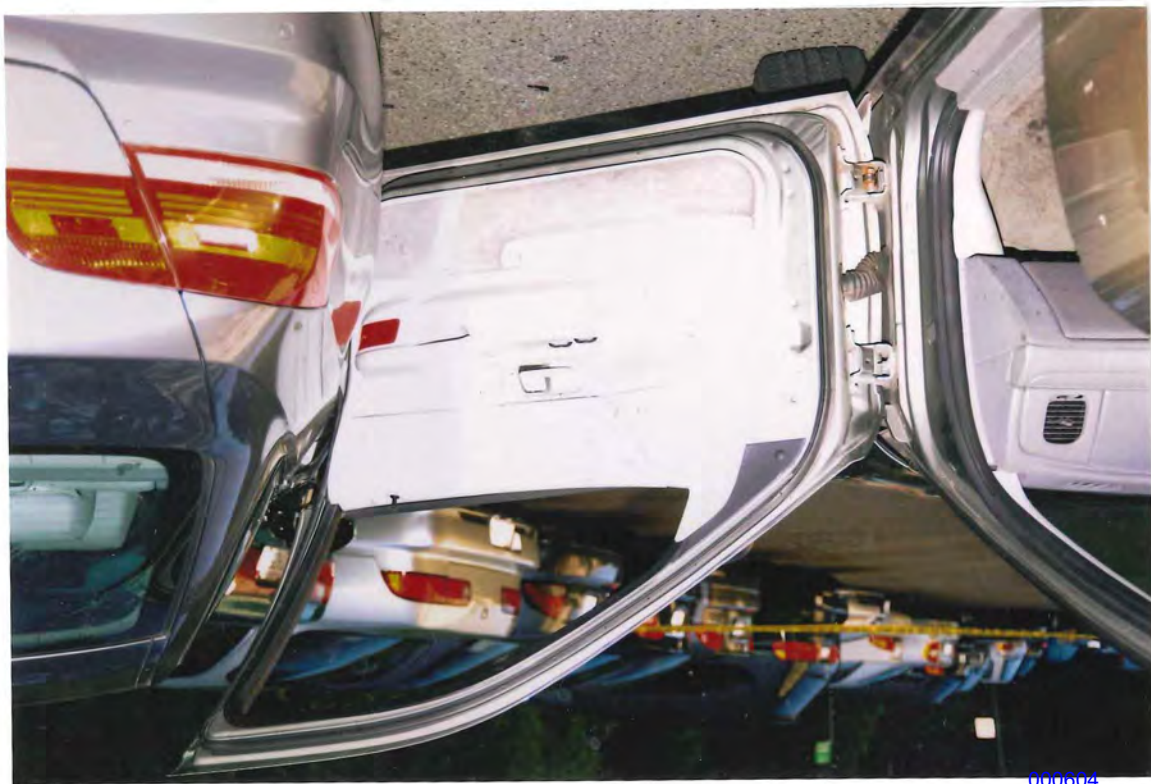


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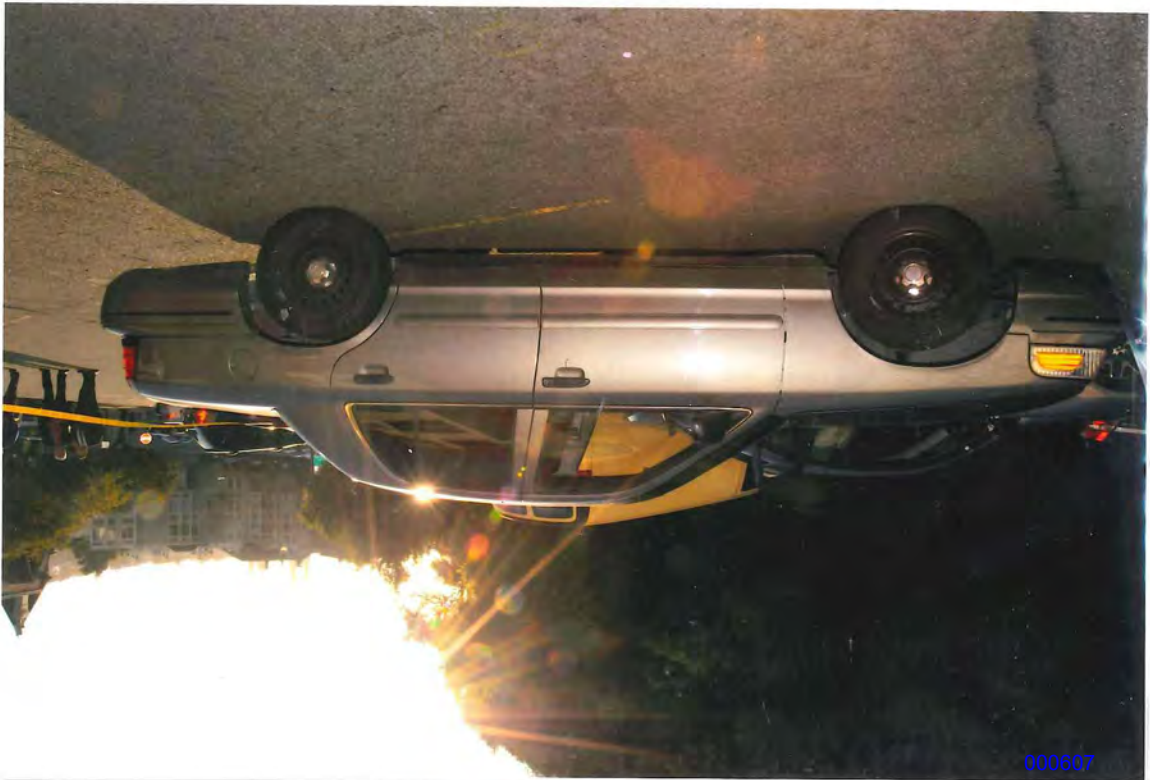




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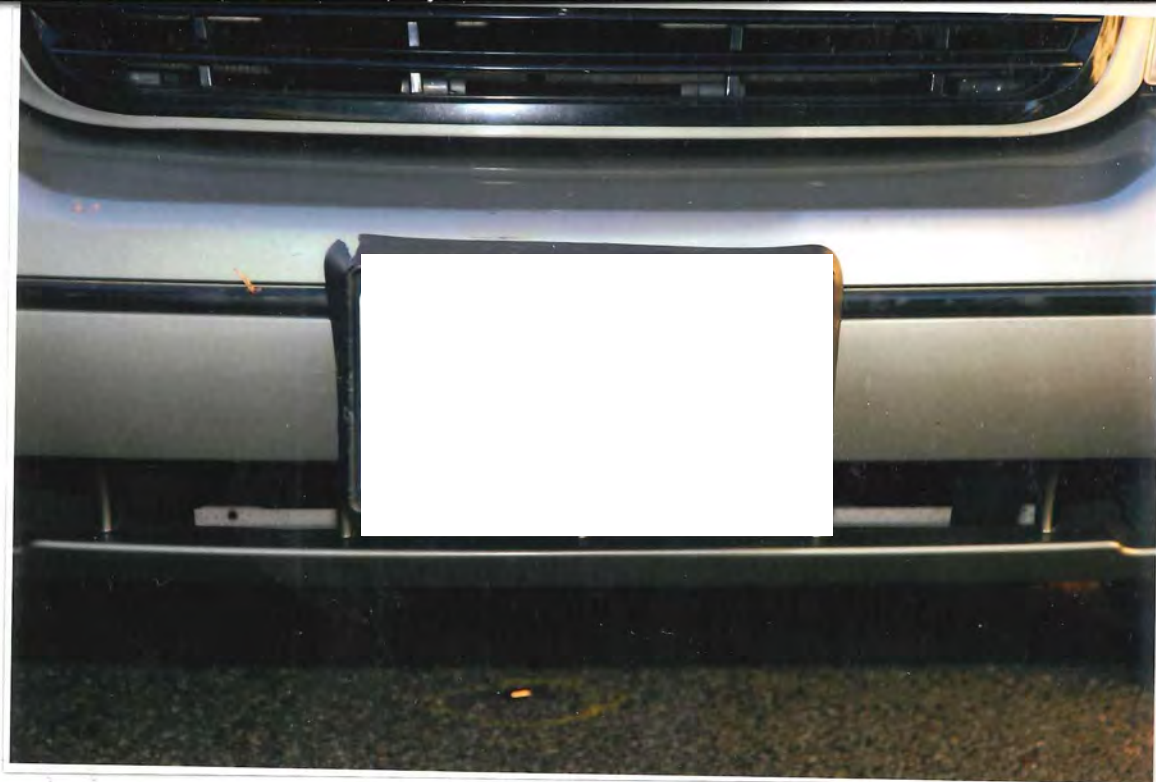


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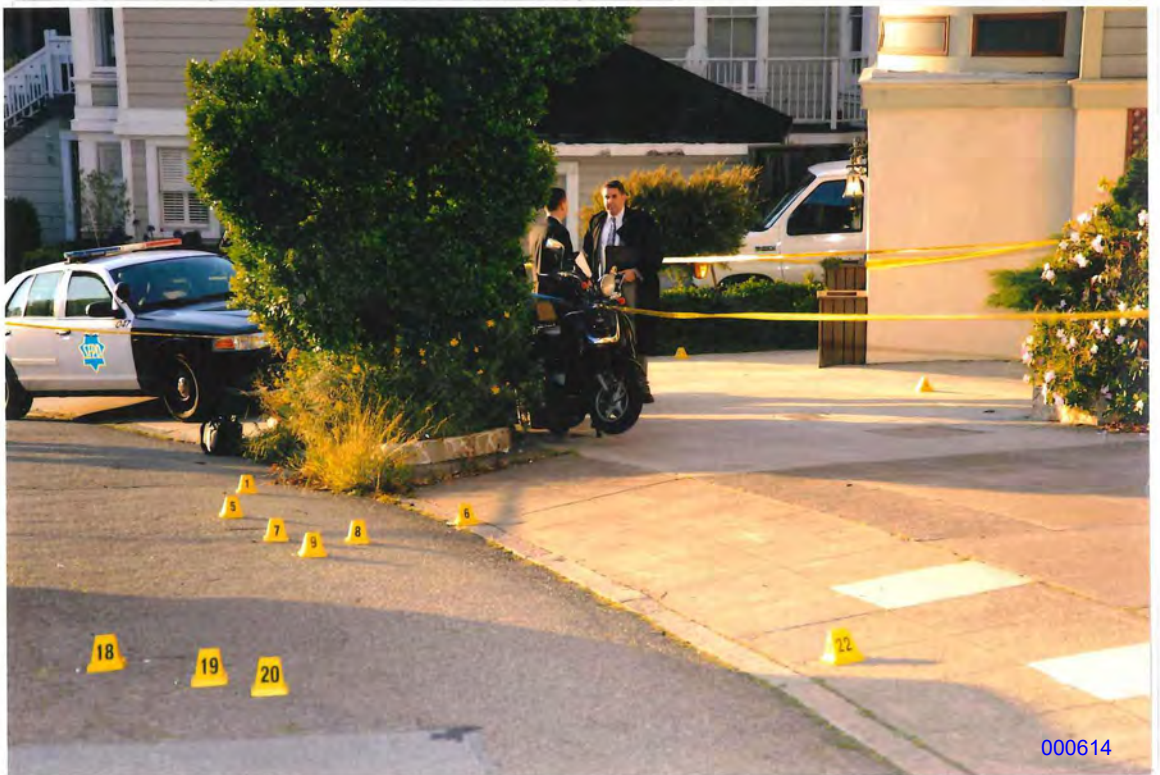
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CASE: 110 460 706

DATE: 06/08/11

OFF: CUNNINGHAM #278/GAMBOA #1327

HANDGUN FROM OFFICER LIEU #1632





CASE: 110 460 706

DATE: 06/08/11

OFF: CUNNINGHAM #278/GAMBOA #1327

HANDGUN FROM OFFICER LIEU #1632



DETAIL: **HOMICIDE** CASE: **110 460 706**
 MEO #: _____
 DATE PHOTOGRAPHED: **6.8.11** TIME: **1530**
 SUBJECT / NAME: **LIEU #1632 / RYAN #734**
 LOCATION / ADDRESS: **CSI Handguns**
 ADDITIONAL INFO: _____
 ORDERED BY: **C. Agney** STAR: _____
 PHOTOGRAPHER: **Cunningham** STAR: **218**
 MEDIA TYPE: _____ NUMBER OR NEGS: _____
 THIS ENVELOPE IS FOR SAN FRANCISCO POLICE DEPARTMENT FILM/NEGATIVES.

INCHES 1 2 3 4 5
 MILLIMETER



CASE: 110 460 706

DATE: 06/08/11

OFF: CUNNINGHAM #278/GAMBOA #1327

HANDGUN FROM OFFICER RYAN #734



CASE: 110 460 706

DATE: 06/08/11

OFF: CUNNINGHAM #278/GAMBOA #1327

HANDGUN FROM OFFICER RYAN #734



